

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

RICK SHAWN,

Petitioner,

vs.

D.W. NEVEN, *et al.*,

Respondents.

2:14-cv-00738-JAD-PAL

Order Granting Motion to Amend Petition,
Denying Pending Motions to Dismiss as Moot,
and Granting Requests for Extensions of Time

[ECF 14, 15, 16, 18, 21, 26]

On March 6, 2015, petitioner, proceeding without the assistance of counsel, filed an amended petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254. ECF 12. On October 20, 2015, retained counsel, Damian R. Sheets, entered a notice of appearance on behalf of the petitioner. ECF 20. Shortly thereafter, respondents filed a motion to dismiss in response to the amended petition. ECF 21. In lieu of filing a response to the motion to dismiss, petitioner has filed a motion to file an amended petition with the assistance of counsel. ECF 26. Respondents do not oppose the motion to amend. ECF 27.

I agree that allowing counsel to prepare an amended petition would likely assist the parties in litigating, and the court in adjudicating, petitioner's claims, serving both the interests justice and judicial efficiency.

IT THEREFORE IS ORDERED that petitioner's motion to amend petition [ECF 26] is **GRANTED. Petitioner has until March 8, 2016, to file his second amended petition.** Once an amended petition is filed, the court will set further deadlines in this proceeding.

IT IS FURTHER ORDERED that petitioner's motion for appointment of counsel and respondents' motion to dismiss [ECF 16 and 21] are **DENIED as moot.**

1 IT FURTHER IS ORDERED that respondents' motions for extension of time [ECF 14, 15,
2 and 18] are **GRANTED *nunc pro tunc*** to their respective filing dates.

3 Dated this 9th day of December, 2015.

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Jennifer Dorsey
United States District Judge
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